

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Darrick Elliot Leach

Docket No. 5:13-CR-118-1F

Petition for Action on Supervised Release

COMES NOW Mark L. Culp, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Darrick Elliot Leach, who, upon an earlier plea of guilty to 21 USC §§ 846 and 841(a)(1) and (b)(1)(B), Conspiracy and Possession with Intent to Distribute 5 Grams and More of a Mixture and Substance Containing a Detectable Amount of Cocaine Base, was sentenced by the Honorable Robert C. Brack, U.S. District Judge in the District of New Mexico on January 26, 2009, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of four years.

Darrick Elliot Leach was released from custody on May 14, 2012, at which time the term of supervised release commenced. Previously, this offender has submitted urine samples that tested positive for cocaine on July 31, 2014, and marijuana on August 11, 2014. The court agreed to continue the offender on supervision on these occasions after being verbally reprimanded.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On September 28, 2015, the defendant submitted a urine sample that tested positive for cocaine use. The defendant has been confronted with the results and admits to using this substance. We will continue to monitor his drug use through the Surprise Urinalysis Program. As a sanction for this conduct, we are recommending that the conditions of supervision be modified to include two days in jail.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert K. Britt

Robert K. Britt

Supervisory U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Mark L. Culp

Mark L. Culp

U.S. Probation Officer

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Executed On: October 13, 2015

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ORDER OF THE COURT

Considered and ordered this 14th day of October, 2015 and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge